

SEWARD & KISSEL LLP

ONE BATTERY PARK PLAZA
NEW YORK, NEW YORK 10004

BRUCE G. PAULSEN
PARTNER
(212) 574-1533
paulsen@sewkis.com

TELEPHONE: (212) 574-1200
FACSIMILE: (212) 480-8421
WWW.SEWKIS.COM

901 K STREET, NW
WASHINGTON, DC 20001
TELEPHONE: (202) 737-8833
FACSIMILE: (202) 737-5184

September 16, 2014

VIA CM/ECF

Hon. Gregory H. Woods
United States District Judge
500 Pearl Street
New York, NY 10007-1312

Re: Point Eight Power, Inc., v. PACS Industries, Inc., et al.
14-cv-6152 (GHW)

Dear Judge Woods:

We represent Plaintiff Point Eight Power, Inc. The parties write jointly, pursuant to Your Honor's Individual Rules of Practice in Civil Cases 1.E, to request a four week adjournment of the date for the preliminary injunction hearing in this matter (presently October 2, 2014 at 1:00 p.m.) and the corresponding briefing schedule. This is the parties' third request for an adjournment of the preliminary injunction motion.

The parties jointly request the adjournment to allow them to continue settlement discussions that to this point have been very productive (the parties are negotiating a settlement term sheet that includes complex IP licensing terms), and to document any final settlement.

The parties request the following schedule:

Hearing: November 6 at 1:00 p.m.

Defendants' response briefing: October 17 (presently September 17)

Plaintiff's reply briefing: October 23 (presently September 23)

Hon. Gregory H. Woods
September 16, 2014
Page 2

We are authorized to state that defendant PACS Switchgear, LLC consents to extension of the temporary restraining order pending the adjourned hearing.

Respectfully submitted,

/s/ Bruce G. Paulsen
Bruce G. Paulsen

BGP:sac
cc: Stuart A. Laven, Jr., Esq. (by ECF)

SK 28532 0001 6102059